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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 Selena Alicia Coronado,) No. CV04-1947-PHX-DGC

10 Plaintiff,) **ORDER**

11 vs.)

12 Dora Schriro, et al.,)

13 Defendants.)

14 _____)

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16 On August 4, 2005, Defendants filed Objections to Portions of Magistrate's
17 July 22, 2005 Scheduling Order. *See* Doc. #14. Defendants purport to file the Objections
18 under 28 U.S.C. § 636(b)(1)(C), and ask the Court to vacate certain portions of Judge
19 Velasco's scheduling order. The Court was not aware of Defendants' filing. Defendants
20 did not submit a courtesy copy of the filing as required by the Court's Administrative
21 Policies and Procedures Manual, Policy on Courtesy Copies for Chambers, at 11. The
22 Court learned of the filing from a law clerk for the Magistrate Judge.

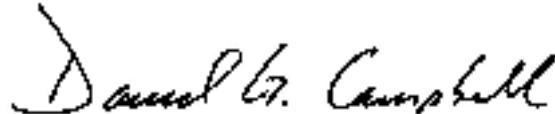
23 Defendants cannot seek relief from the order under 28 U.S.C. § 636(b)(1)(C), a
24 provision that applies to findings and recommendations prepared by the Magistrate Judge
25 and submitted to the Court. The scheduling order does not constitute such findings and
26 recommendations. If relief is to be sought from the scheduling order, it must be sought
27 under § 636(b)(1)(A), which permits magistrate judges to rule on certain pretrial matters and
28 provides that the Court "may reconsider any pretrial matter under this subparagraph (A)

1 where it has been shown that the magistrate judge's order is clearly erroneous or contrary
2 to law."

3 Defendants contend that the scheduling order is inconsistent with scheduling
4 orders in other cases and places an unfair burden on Defendants. They do not argue that
5 the order is clearly erroneous or contrary to law, as required by the statute. Because
6 Defendants have not sought relief under the proper statutory provision, do not address
7 the proper legal standard, and have not shown that the scheduling order violates that legal
8 standard, the Court will deny relief.

9 **IT IS ORDERED** that Defendants' Objections to Portions of Magistrate's July 22,
10 2005 Scheduling Order (Doc. #14) is **denied**.

11 DATED this 24th day of January, 2006.

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 David G. Campbell
16 United States District Judge
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